

REMARKS/ARGUMENTS

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-8 are pending in this application and have been rejected in the Office Action. In this response, claims 1 and 4 have been amended and claim 2 has been cancelled without prejudice to their subsequent prosecution in any continuing application or disclaimer of the proprietary rights set forth therein. Claim 1 has been amended to incorporate the limitations of claim 2. No new subject matter is added as a result of the amended claims.

It is submitted that these claims are patentably distinct from the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. §112. The remarks made herein are not made for the purpose of patentability within the meaning of 35 U.S.C. §§ 101, 102, 103 or 112, but rather the amendments and remarks made herein are simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. THE REJECTIONS UNDER 35 U.S.C. § 102(b)

In the Office Action, claims 1-8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,311,689 to Lindsey ("Lindsey"). In addition, claims 1-8 have been rejected under § 102(b) as being anticipated by U.S. Patent No. 5,887,899 to Dobbins ("Dobbins"). The rejections are traversed for at least the following reasons.

Independent claim 1 has been amended to recite, *inter alia*, that the memo sheet comprises "a removable pressure sensitive second adhesive layer provided on said back face of said cover part, said back face of said cover part having a hidden portion covered by said hidden part when said sheet member is folded, and an exposed portion where said second adhesive layer is located." Both Lindsey and Dobbins fail to teach such a memo sheet.

On page 2 of the Office Action, in referring to Figure 4, the Action asserts that Lindsey teaches a sheet-like member having a front side and an opposite back side, and a fold line formed on the sheet member, dividing the sheet into a cover part 22 and a hidden part 52. In addition, the Action asserts that a removable first pressure sensitive adhesive 54 is provided on the back face of the cover or the hidden part and that a removable second pressure sensitive adhesive 28 is provided on the back face of the cover. We respectfully disagree with the assertion that the first pressure sensitive adhesive 54 is provided on the back face of the cover. Lindsey specifically discloses that structure 22 is the message-receiving portion where messages are written thereon. Col. 3, lines 17-26. Therefore, it is believed that first pressure sensitive adhesive 54 is provided on the front face of the cover 22.

In addition, as described in Lindsey, the first pressure sensitive adhesive layer 54 of the personal memo device is provided on the cover part (message-receiving portion 22) or on the hidden part (security flap 52). Further, second pressure sensitive adhesive layer 28 is provided on strap 26. In all instances, the pressure sensitive adhesive layers, 54 and 28, are on the marking or front faces of the structures where messages are to be provided and not on the back faces thereof. *See* col. 2, line 65 - col. 3, line 47. Therefore, when a hidden message is to be read, the security flap 52 must be unfolded. Furthermore, the personal memo device is to be worn around the wrist of a user.

In contrast, as depicted in Figure 5 of the instant invention, back faces 317 and 318 of the cover part 313 and the hidden part 314, respectively, are opposite to the marking faces 315 and 316 which are to be marked with messages. In addition, the first and second pressure sensitive adhesive layers 33 and 34 are provided on the back faces 317 and 318 of the cover part 313 and the hidden part 314, respectively, which are not to be marked with messages. Page 5, lines 13-

27. Therefore, after the sheet member 31 is folded, the back faces 317 and 318 are adhered to each other and face inwardly in two opposite inward directions, and the marking faces 315 and 316 are opposite to each other and face outwardly in two opposite outward directions. The marking face 315 of the cover part 313 are therefore exposed and may be provided with marks to identify a message receiver and a message sender, while the marking face 316 of the hidden part 314 is hidden as depicted in Figure 6, and may therefore be provided with confidential messages. Page 6, lines 1-12. The messages may be read by merely flipping the hidden part 314 up without the need to unfold the cover part 313 and hidden part 314. Furthermore, the memo sheet of the instant invention is to be attached to a table or a wall surface or the like using second pressure sensitive adhesive layer 34 and not to be worn on a person's wrist as is the case in Lindsey.

With respect to the Dobbins reference, page 4 of the Office Action asserts that Figure 12 of Dobbins shows first and second adhesives 17. The second adhesive, however, is not similar to the second pressure sensitive adhesive 34 of the instant invention. As previously stated, the second pressure sensitive adhesive layer 34 of the instant invention is used to adhere the memo sheet to a surface as depicted in Figure 6. In Dobbins, however, the second adhesive is used to adhere a flap 13 to a portion of a business card 10. Therefore, the function of the second pressure sensitive adhesive of the instant invention is different than the function of the second adhesive of Dobbins.

For at least the foregoing reasons, it is respectfully submitted that amended independent claim 1 patentably distinguishes over Lindsey and Dobbins and is therefore allowable. Further, claims 3-8 that depend from claim 1 are allowable therewith.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the

Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

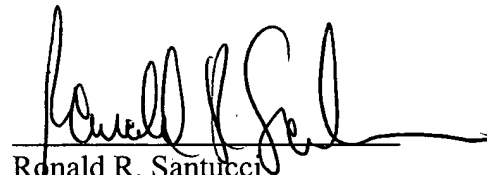
CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
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